

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(Docket No. CRD1061 CIP1)

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In re the Application of: ) Customer No. 27717  
David Grewe et al. )  
Serial No.: 10/691,823 ) Group Art Unit: 3736  
Filed: October 23, 2003 ) Examiner: J. Hoekstra  
For: Guidewire with Deflectable Tip )  
Having Torque Characteristics )

**REQUEST TO CHANGE HEARING DATE**

This is in response to the Notice of Hearing mailed September 29, 2008, a copy of which is attached.

I am the patent attorney who has handled the prosecution of the above identified patent application. I prepared the appeal briefs and I am the person most familiar with the above patent application. The Notice of Hearing sets the hearing date for Thursday, November 6, 2008. Unfortunately, I am committed to attending a charitable event in Chicago on November 6, 2008, and I would be unable to attend the hearing that has been set unless I was the first hearing (at 9 AM). The charitable event is the Jewish United Fund Vanguard Dinner in which I am personally involved. I believe the event would suffer if I did not attend and participate. Therefore, I respectfully request that the hearing date be re-set to another date, so I will be able to attend the charitable event. Alternatively, if I am the first hearing of the day, I would be able to attend both the hearing and the charitable event.

CH1 11576254.1

Please do not hesitate to get in touch with me if you have any questions.

Respectfully submitted,

SEYFARTH SHAW LLP



George H. Gerstman  
Registration No. 22,419  
Attorney for Appellants

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Certificate of Facsimile

I hereby certify that this correspondence is being sent via facsimile to the U.S. Patent and Trademark Office (Central Fax No. 571-273-8300 and to BPAI Hearing Fax No. 571-273-0299) on Oct. 7, 2008.



Registered Attorney for Applicant  
Date: Oct. 7, 2008



**UNITED STATES PATENT AND TRADEMARK OFFICE**

**UNITED STATES DEPARTMENT OF COMMERCE**  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,823	10/23/2003	David Grewc	CRD1061CIP1	6328
27777	7590	09/29/2008	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">EXAMINER</div> <div style="border: 1px solid black; padding: 2px;">HOBKSTRA, JEFFREY GERBEN</div> </div>	
<b>PHILIP S. JOHNSON</b> <b>JOHNSON &amp; JOHNSON</b> <b>ONE JOHNSON &amp; JOHNSON PLAZA</b> <b>NEW BRUNSWICK, NJ 08933-7003</b>			<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">ART UNIT</div> <div style="border: 1px solid black; padding: 2px;">PAPER NUMBER</div> </div>	3736
			<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 2px;">MAIL DATE</div> <div style="border: 1px solid black; padding: 2px;">DELIVERY MODE</div> </div>	09/29/2008
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

PHILIP S. JOHNSON  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON  
PLAZA  
NEW BRUNSWICK, NJ 08933-7003

Appeal No: 2008-4373  
Appellant: David Grewc, David C. Majercak et al.  
Application No: 10/691,823  
Hearing Room: B  
Hearing Docket: A  
Hearing Date: Thursday, November 06, 2008  
Hearing Time: 09:00 AM  
Location: Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:  HEARING ATTENDANCE CONFIRMED  HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel: \_\_\_\_\_  
For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/ocomm/ecomsec/contact.html#bpa1\\_contacts](http://www.uspto.gov/web/offices/ocomm/ecomsec/contact.html#bpa1_contacts)